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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Martinus Godetridus Johannes SPANJERS et al.

Serial No.: 10/776,605 Art Unit: 1742

Filed: February 12, 2004 Examiner: J. Combs-Morillo

For: ALUMINUM DIE-CASTING ALLOY

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office action mailed June 10, 2004, Applicant submits the following arguments. Claims 17 and 21-51 are pending.

I. EP 799900 A1 (EP '900) in view of JP 09-041064 A (JP '064)

Claims 17, 21-39 and 42-51 are rejected under 35 USC § 103(a) as being unpatentable over EP 799900 A1 (EP '900) in view of JP 09-041064 A (JP '064).

A. Wrought Alloys and Die-cast Alloys Differ

The Office action asserts EP '900 teaches an alloy composition that overlaps the instant composition ranges. (Applicant thanks the Examiner for the Table provided in the body of the Office action.) EP '900 does not mention die casting the alloy. However, The Office action asserts JP '064 discloses die-casting its AL-Mg-Zn (JP '064, paragraph [0009], etc.) alloys into high strength and toughness parts (JP '064, paragraph [0017], etc.). Thus, the Office action asserts it would be obvious to die cast (as taught by JP '064) the AL-Mg-Zn alloy of FP '900. This rejection is respectfully traversed.

It is respectfully submitted it is common general knowledge for the skilled person that aluminium wrought products are those aluminium products that have been subjected to plastic deformation by hot working and cold working processes (such as rolling, extruding, forging and drawing, either singly or in combination), to transform continuous or semi-continuous cast aluminium ingots into a desired product form. The micro-structural changes associated with the